

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because e.g. they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Rejection under §102

Claims 1-4 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by Hara et al. (U.S. 5,648,276). Applicant respectfully traverse this rejection.

The Office Action asserts that the mesh electrode disclosed as part of the CVD system of Hara corresponds to the lower plate of the claimed invention. As amended, claims 1 and 3 specify that the lower plate of the claimed CVD system is connected to ground and that the introduction holes of the lower plate only pass radicals to the film deposition chamber. In contrast, the mesh electrode disclosed in Hara is not connected to ground, but is "supplied with a variable voltage." See Hara, col. 7, lines 18-19. Because the lower plate of the claimed CVD system is connected to ground it is possible to introduce only the radicals through the introduction holes of the lower plate. However, because the mesh electrode of Hara is supplied with the variable voltage it would not be possible for the mesh electrode of Hara to introduce the radicals only into the film deposition chamber.

In addition, the introduction holes formed in the claimed lower plate are designed to pass the radical only. This feature is also absent from the mesh electrode disclosed by Hara.

In view of the above remarks and the amendments of claims 1 and 3, Applicants submit that this rejection is overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

II. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the Applicants' representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Stephen Tu
Registration No. 52,304

JAO:SXT/amw

Attachment:
Appendix

Date: December 6, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--